The meeting was called to order at 10.05 a.m.

Consideration of reports

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant *(continued)*

Fourth periodic report of the Republic of Korea (continued) (E/C.12/KOR/4; E/C.12/KOR/Q/4 and Add.1)

1. *At the invitation of the Chair, the delegation of the Republic of Korea took places at the Committee table.*

2. **Ms. Jang** Jaewon (Republic of Korea) said that the Government ensured the provision of high-quality social services through regulation, quality assessments and training of the workforce. The new Administration intended to significantly increase the social service infrastructure. Local governments would identify people in need and provide them with the level of services that they required.

3. The authorities planned to open more public day-care centres, in order to meet their target of increasing the usage rate from 26 per cent to 40 per cent. The quality of day-care provision was assessed under an evaluation and certification scheme, which was currently being upgraded. A regional analysis was being made of areas underserved by the health-care sector, with a view to identifying priority locations for the construction of new facilities or the expansion of existing ones.

4. **Ms. Lee** Hye Jung (Republic of Korea) said that, in line with the Committee's general comment No. 24 on State obligations under the International Covenant on Economic, Social and Cultural Rights in the context of business activities, a section on business and human rights would be included in the third National Action Plan for the Protection and Promotion of Human Rights, which was currently being prepared. The second National Action Plan, which had been implemented between 2012 and 2016, had included components on human rights education and improvements to the work of the national contact point (NCP), in line with the Organization for Economic Cooperation and Development Guidelines for Multinational Enterprises.

5. In certain cases of corporate human rights violations, the perpetrators assumed both civil and criminal liabilities. Victims, including employees and subcontractors, of human rights violations committed by companies or executives had the right to seek compensation for damages under civil law. That right extended to victims who were foreign nationals. Executives who committed criminal human rights violations in another country were subject to the criminal justice system of the Republic of Korea.

6. **Mr. Choi** Won-Youb (Republic of Korea) said that complaints of human rights violations by companies based in the Republic of Korea could be filed with the NCP. In October 2011, the Government had accepted the recommendations issued by the National Human Rights Commission of Korea on the need to strengthen the diversity and expertise of NCP officials.

7. **Ms. Jang** Jaewon (Republic of Korea) said that, pursuant to the National Pension Act, any company that was in receipt of investment from the pension fund and which committed human rights violations was responsible for taking counter-measures. The Government had commissioned research that would inform the preparation of guidelines for responsible investment.

8. **Mr. Yun** Mun Gyu (Republic of Korea) said that the Government had identified paying fair wages to non-regular and indirectly employed workers and closing gaps in the labour market as national policy priorities. The legislation in force to protect temporary agency workers stipulated that companies using such workers were responsible for upholding basic employment rights in relation to working hours, breaks and holidays, and for prohibiting discrimination in their workplaces. The Government intended to undertake fact-finding surveys to explore ways of protecting the basic employment rights of persons in special occupations, such as expanding the number of occupations that qualified for industrial accident insurance.

9. **Mr. Yoo** Jhong Ho (Republic of Korea) said that the agricultural sector was affected by natural phenomena that made it difficult to apply uniform or universal criteria with regard to labour standards and working conditions. The Government planned to undertake workplace inspections and issue guidance in an effort to reduce the long working hours often found in that sector. Options for further improvements would be examined.

10. **Ms. Jang** Jaewon (Republic of Korea) said that while legislation on pensions did not discriminate against lesbian, gay, bisexual, transgender and intersex (LGBTI) persons, same-sex couples were not recognized by law and were therefore ineligible for survivors' pensions.

11. **Mr. An** Heejun (Republic of Korea) said that measures in place to improve access to justice and judicial remedies included judicial reviews of the constitutionality or legality of court orders and rulings. Both civil and criminal procedures were available to private individuals whose human rights had been violated. Quasi-judicial remedies included the lodging of administrative appeals and the filing of petitions with the National Human Rights Commission of Korea.

12. Persons with disabilities, recipients of basic livelihood security benefits and members of other disadvantaged groups who were the victims of criminal offences were entitled to free legal advice and representation. From 2018, that entitlement would be extended to people whose income was less than 50 per cent of the national average. The Korea Legal Aid Corporation provided comprehensive legal services through its nationwide network of 140 offices. Since 2012, the Ministry of Justice had operated a scheme under which it employed lawyers directly and then assigned them to local governments or social welfare councils. The lawyers visited disadvantaged persons at home and provided them with legal advice. In regions where there was a lack of lawyers, members of the Korean Bar Association provided local residents with pro-bono primary legal aid services.

13. **Ms. Chang** Mikyong (Republic of Korea) said that the large gender wage gap in the Republic of Korea could be attributed to structural vulnerabilities. Affirmative action policies were in place to address the gap and promote women's employment. A gender impact analysis was due to be carried out in 2017, and guidelines would be produced with a view to closing the gender wage gap.

14. **Mr. Kim** TaeHun (Republic of Korea) said that the authorities did not record statistics on the number of indictments and sentences for corruption involving high-ranking public officials. New legislation on improper solicitation and graft had entered into force in September 2016 and was expected to reduce corruption. The National Assembly was currently considering three bills on the establishment of a body to investigate corruption scandals involving high-ranking public officials.

15. **Mr. Park** Jinsoo (Republic of Korea) said that the Act on the Registration of Family Relationships provided for registration of the birth, marriage or death of citizens of the Republic of Korea only. National consensus would need to be built before a separate system could be introduced to register the births of children of undocumented migrants, asylum seekers, refugees and stateless persons. The children of undocumented migrants and asylum seekers were allowed to enrol in schools. Children who were subject to removal from the country could receive a stay of deportation in order to allow them to complete their studies. The children of foreign nationals living in the Republic of Korea were entitled to free vaccinations and emergency medical care.

16. **Ms. Chang** Mikyong (Republic of Korea) said that the support system for victims of domestic violence included a hotline number and a network of counselling centres. Emergency shelters provided accommodation to victims and their families for up to seven days. When victims left protection facilities they received a support allowance. The Korea Land and Housing Corporation offered accommodation in communal homes to victims of domestic violence under a rental deposit assistance scheme. The new Administration had identified stricter sentences for gender-based violence and more robust victim protection measures as policy priorities.

17. **Ms. Jang** Jaewon (Republic of Korea) said that in 2016, the Government had devised pan-governmental child abuse prevention measures in four key areas, namely the

early identification of victims, a swift response to cases, more stringent punishments and increased support for victims. In 2017, 1.1 billion won (W) had been earmarked for child abuse prevention initiatives, including public awareness campaigns. The list of mandatory reporters had been expanded, resulting in a steady increase in the number of reports of child abuse. Specialized child protection agencies around the country provided counselling and psychological support for the victims of child abuse. The Government intended to develop a system for the early identification of at-risk children.

18. The requirements related to income, property and the "obligatory provider" criteria meant that not all households with an income of less than 50 per cent of the average were eligible to receive benefits under the National Basic Livelihood Security System, which currently supported approximately 3.2 per cent of the population. The Government intended to abolish the obligatory provider criteria for persons claiming housing benefit in October 2018, while for families caring for persons with severe disabilities or elderly persons and for those households with the lowest income the criteria would be phased out from 2019. An analysis would be undertaken regarding abolition of the criteria for persons claiming cost-of-living and medical benefits. Further reviews of the mechanisms in place would be conducted in advance of development of the second comprehensive plan on the National Basic Livelihood Security System in 2020.

19. A significant decrease in the number of suicides among senior citizens had been achieved through the ban on the production and distribution of poisonous agricultural pesticides. A nationwide network of 241 mental health centres provided counselling and suicide prevention education, in particular for managers of care services for older persons living alone.

20. Individuals who were in receipt of the basic pension were eligible to seek additional benefits from the National Basic Livelihood Security System if they required them. The obligatory provider criteria were being phased out for older persons, to enable them to receive more than one type of benefit.

21. **Ms. Lee** Jungwon (Republic of Korea) said that persons currently living in substandard accommodation, particularly persons with disabilities, were accorded priority access to public rental housing. Welfare centres were being established, as well as communal homes for older persons who lived alone. Between 2018 and 2022, 170,000 units of public rental housing would be made available each year to help provide low-income families with stable long-term rental accommodation. The project took account of the needs and income levels of certain categories of recipients, such as the young, newly-wed couples and older persons. At the same time, the Government was broadening the recipient base of its housing allowance programme and introducing favourable interest rate policies, to further reduce the housing cost burden for working families. Measures were being put in place to regulate the private rental market. Incentives and tax benefits had been introduced to encourage landlords to register their rented accommodation and to extend rental periods. Price caps on initial deposits and monthly rents, as well as the right of tenants to claim contract renewal, were to be introduced in phases.

22. **Mr. Song** InJun (Republic of Korea) said that a number of major river dam projects were currently being monitored to assess their impact on local ecosystems and to determine water quality and quantity and the prevalence of blue-green algae. At the end of 2018, the information collected would be assessed and decisions made on how to proceed; i.e., whether to remove a dam altogether or to maintain it and reinforce its environmental sustainability. On the basis of those decisions, the Government would then be launching measures to restore the health of rivers in 2019.

23. Levels of trihalomethanes in the drinking water supply were constantly monitored to ensure that they remained within acceptable limits. The inflow of blue-green algae was also controlled and kept to a minimum. At the purification stage, activated carbon was used to reduce the quantity of organic compounds, and the water was disinfected through the injection of optimum amounts of chlorine and ozone. Water treatment facilities were being enhanced, such as those on the Han River where 70 per cent of the facilities would be modernized by 2025.

24. **Ms. Jang** Jaewon (Republic of Korea) said that, by 2022, as the obligatory provider criteria of the National Basic Livelihood Security System were relaxed, access to medical benefits would improve for around 230,000 people. A three-year plan regulating medical benefits was currently being drafted. At the same time, the coverage of the national health insurance scheme was being expanded to accommodate non-covered items required for medical reasons. Since high medical costs could leave households bankrupt, a catastrophic health expenditure support scheme was being introduced whereby, if medical expenditure exceeded a certain percentage of a household's annual income, a co-payment sum of up to ₩20 million per year was made available.

25. The high suicide rate was a matter of concern at the highest levels of the Government. The President of the Republic had ordered an analysis of long-term suicide trends and was promoting the formulation of new measures targeting certain groups such as older persons, sexual minorities and the young. The Ministry of Health and Welfare had plans to set up a special suicide prevention department in 2018. The authorities had also launched a suicide prevention initiative known as the gatekeeper system. A gatekeeper was a person deemed to be in a position to perceive and respond to early warning signs of impending suicide in others. Since 2013, some 370,000 persons had received training as gatekeepers. They included carers looking after older people who lived alone, nurses, teachers, law enforcement officers and public officials.

26. **Ms. Oh** Yoojin (Republic of Korea) said that the Government was committed to protecting the right to life of the fetus. It therefore respected the Constitutional Court ruling that abortion was an offence. In order to prevent unwanted pregnancies and promote maternal health, the authorities organized anti-abortion campaigns to explain and promote contraception, family planning and healthy sexual values.

27. **Ms. Jang** Jaewon (Republic of Korea) said that the law had been amended to allow HIV/AIDS sufferers to be admitted to long-term care hospitals under the national health insurance scheme. Punitive measures could be taken against a health-care institution if it refused to admit an HIV/AIDS patient without good reason. An HIV/AIDS guidebook had been produced and distributed to hospitals, and health-care providers received special training. AIDS prevention campaigns aimed at the general public were being systematically conducted. No consideration had yet been given to the possibility of including sex reassignment surgery under the national health insurance scheme. However, the question was expected to arise in the course of a review of the scheme over the coming five years.

28. **Mr. Kim** Chonghong (Republic of Korea) said that efforts were being made to ensure that children between the ages of 3 and 5 years, whether they attended childcare centres or pre-school establishments, followed the same curriculum, were provided with the same level of fiscal support and thus enjoyed equal educational opportunities. Elementary and middle school education was free of charge and compulsory, and the Government was pursuing the goal of applying the same conditions to high school education. In the meantime, extra support was given to high school pupils from low-income families. Measures to standardize public education included the introduction of a semester free of examinations in middle school and the adoption of regulations on private schools offering intensive classes at night. An income-aligned national scholarship scheme for university students had contributed greatly to reducing the burden on more economically disadvantaged groups. Other support measures were tailored to meet the needs of particular groups such as students with disabilities, students from rural communities or students from refugee families from the Democratic People's Republic of Korea.

29. **Ms. Chang** Mikyong (Republic of Korea) said that the Government was seeking to stimulate greater interest in science, technology and engineering among female students. Technology courses were available for girls in middle and high school, and women who already excelled in those areas made their expertise available to and mentored aspiring female students; around 10,000 students were currently participating in the programme. Special capacity-building and career orientation courses were offered to female students majoring in science and engineering. A plan to improve the representation of women in public sector leadership roles had met with considerable success. For example, currently 37.3 per cent of principals and vice-principals in State-run schools were women, compared with 24.6 per cent in 2012.

30. **Mr. Kim** Chonghong (Republic of Korea) said that, as children with disabilities received free and compulsory education from kindergarten to high school, they effectively had more educational opportunities than the population at large. The Government was seeking to recruit and train more teachers of children with special needs. Owing to distorted perceptions, plans to open special schools for children with disabilities sometimes met with opposition from local residents. Efforts were therefore also made to raise awareness about disability among the general public.

31. **Ms. Song** Seung yeon (Republic of Korea) said that the Government had various policies by which it aimed to promote multicultural awareness. The Rainbow Bridge Project, which had been launched in 2012, sought to engage various cultural actors in the community in a celebration of the value of cultural diversity. Every year, on 20 and 21 May, local communities celebrated, respectively, the national "Together Day" and the World Day for Cultural Diversity for Dialogue and Development. A number of educational projects to sensitize people to cultural diversity were also under way, including online support systems, special teacher training courses and a revised school curriculum from 2015 that reflected the importance of multicultural education.

32. **Mr. Park** Jinsoo (Republic of Korea) said that the Government had developed policies to encourage the integration of foreign nationals and to promote mutual respect and understanding between them and Korean citizens. Marriage immigrants, international students, migrant workers and other foreign nationals, all of whom were considered to be part of Korean society, were offered integration courses to help them adapt to their new surroundings. The courses, which were provided free of charge, focused on the acquisition of language skills and an understanding of local culture and society. Volunteers and community lawyers provided a range of medical and legal services. As of July 2017, a total of 2,063,659 foreign nationals were residing in the Republic of Korea, of whom 154,072 were marriage immigrants, 523,985 migrant workers and 401,932 ethnic Koreans of foreign nationalities.

33. **Ms. Oh** Yoojin (Republic of Korea) said that, in order to close the digital divide and facilitate access to computers and the Internet, the Government had taken measures to distribute communications devices and personal computers among digitally marginalized groups such as the elderly, persons with disabilities and rural communities. A certification scheme was being contemplated to standardize websites and ensure that they were accessible to everyone, regardless of age or disability. Training in information technology was also provided through individual and group classes, as well as online. Since 1999, more than 4.2 million people had availed themselves of that service, and use of the Internet by digitally disadvantaged groups had increased from 44.3 per cent in 2010 to 63.4 per cent in 2016.

34. **Mr. De Schutter** said that he wished to know under what circumstances victims of human rights violations could seek remedies in the Republic of Korea when those violations had been committed by subsidiaries of transnational corporations based in the country. The best way to lift the corporate veil and combat impunity was for the Government to impose the requirement of due diligence on companies domiciled within its territory. He also remained concerned by the fact that the Labour Standards Act explicitly excluded agricultural workers from protection under labour legislation. The vast majority of agricultural workers were migrants. Their rights were already severely curtailed and they needed more, not less, protection.

35. **Mr. Abdel-Moneim** said that he wished to know how the third National Health Plan and the National Health Promotion Act addressed health hazards potentially arising from the use of nuclear energy. Given that the Republic of Korea was known to have 24 nuclear plants, he would appreciate the delegation's comments on two studies published in the *Journal of Korean Medical Science*, which claimed that nuclear power plants were responsible for ionizing radiation-induced diseases and increased cancer risk in adults residing nearby.

36. **Mr. Uprimny** said that he would like more information about the revenue stamp costs that parties to legal proceedings had to pay courts in order to file an appeal. Considering that workers who were sued for going on strike were particularly affected by

such costs, he asked whether the State party considered the requirement to be an obstacle to the right to strike. While grateful for the information provided on efforts to improve National Health Insurance coverage, he particularly wished to know whether the Government planned to allocate new funding to the National Health Insurance scheme and whether it would increase social spending in sectors that were lacking coverage. Noting that the rights of the LGBTI community were a sensitive topic, he asked what measures the Government had taken to eliminate prejudice and address discrimination against LGBTI persons?

37. **Ms. Liebenberg** (Country Task Force) said that birth registration was a critical measure to protect children against illegal adoption, trafficking and early marriage, and particularly so in the case of refugees and asylum seekers. Given that non-nationals were also entitled to protection under the Covenant, did the State party intend to review the specific legal provision whereby birth registration was only available to nationals?

38. Since trafficking for various purposes was a serious problem in the Republic of Korea, she wondered whether the definition of that offence under the Criminal Act was sufficient to enable its detection, especially in relation to foreigners who had entered the Republic voluntarily, for example on E-6 visas valid for work in the entertainment industry. Were adequate services in place to support victims of trafficking and to avoid further exploitation or victimization at the hands of immigration officials?

39. **Mr. Kedzia** (Country Rapporteur) said that the information given on participation in the development of the third National Action Plan for the Protection and Promotion of Human Rights was rather vague and did not correspond to the submissions of the National Human Rights Commission of Korea and non-governmental organizations. It was insufficient to state the Government was seeking input and that a continuing participatory framework was required in which all stakeholders had a recognized status.

40. The Committee welcomed the information that international treaties, including the Covenant, had a status similar to domestic constitutional law. However, since the Constitution enshrined only a limited number of economic, social and cultural rights, the Covenant assumed additional importance as a supplementary source of law. In that sense, he wished to learn more about measures to promote awareness of the benefits of the Covenant among Constitutional Court judges and other members of the judiciary.

41. The Committee would be grateful for details about whether Korean companies operating domestically and overseas carried out human rights impact assessments as part of their business activities. Information might be provided on whether an impact assessment had been carried out in the case of Daewoo Textile and the allegations of forced labour and child labour in Uzbekistan and, if so, who had been responsible for the assessment and whether the Government had been involved in the process. Similar details might be provided in respect of palm oil projects in Indonesia. States parties to the Covenant had a responsibility to monitor the activities of the companies under their jurisdiction, and the Government should carefully study the Committee's general comment No. 24.

42. Lastly, he questioned how the Government could tackle corruption if it did not maintain statistics that determined the scale of the problem. It should establish a special mechanism for recording cases of corruption, so that the topic could be considered in greater depth at the State party's next review.

43. **Mr. Sadi**, welcoming Mr. Abdel-Moneim's comments on nuclear power plants in the Republic of Korea, said that he was interested to learn whether the incidence of cancer in the State party was increasing or decreasing. Had the Government established a link between dependence on nuclear energy and the rise in the number of cancer cases?

44. **Mr. Windfuhr**, noting the legitimate reasons that had been given for restricting the right to strike, said that both the International Labour Organization (ILO) and the Special Rapporteur on the rights to freedom of peaceful assembly and of association had emphasized that the range of limitations was extremely large. In several cases, charges had been brought against striking workers, in some cases leading to imprisonment, which constituted a de facto limitation on the right to strike. In that context, he asked whether

discussions were under way with a view to amending the restrictions on legal industrial action and the definition of essential public services.

45. **The Chair**, speaking as a member of the Country Task Force, said that a lack of understanding of the usefulness of trade unions in social dialogue was at the root of problems such as substandard forms of employment, long working hours and other gaps in fair and favourable conditions of work. The Committee did not understand the need for the restrictive definition of a legal strike, or why the Korean Teachers and Education Workers Union and the Korean Government Employees' Union had been deprived of legal recognition because their by-laws allowed union membership for dismissed workers. In view of information that many of the issues raised by the Committee would be addressed as part of the new Administration's policy road map, she asked whether that process included the revision of existing legislation and the legal definitions of workers and employers.

46. The Committee welcomed plans to review the Labour Standards Act, which was particularly necessary in respect of the provision that allowed even profitable companies to claim urgent managerial reasons for dismissal. Noting that dismissed workers had recourse to the Labour Relations Commission, she wished to know how many complaints had been submitted to that body and what decisions had been taken. With regard to the review of working hours that had been carried out, she was concerned that certain sectors had been excluded and wished to know whether working hours in those sectors would be reviewed subsequently. Lastly, although the delegation had identified the causes of the gender pay gap in detail, further explanation was required as to the concrete measures or affirmative action that the Government was taking to ensure equal pay for equal work.

47. **Mr. Choi** said that he wished to address the environmental aspects of the deployment of the Terminal High Altitude Area Defense (THAAD) system by the United States military in the Republic of Korea. One of the locations initially chosen for that system had been rejected by local people, leading to the selection of a new site, which had also provoked strong opposition from residents. Despite the new President's assurance that the deployment would be subject to the outcome of an environmental impact assessment, all six THAAD units had lately been deployed. Irrespective of the need for the deployment, he wished to know what steps the Government had taken to explain the situation to local people and to take their views into consideration.

The meeting was suspended at 11.55 a.m. and resumed at 12.20 p.m.

48. **Mr. Chung** In-kwo (Republic of Korea) said that various efforts had been made to accommodate the recommendation of the National Human Rights Commission of Korea in relation to civic engagement in the development of the third National Action Plan. In 2016, the Government had invited human rights and civil society organizations to submit inputs for the Plan and a public hearing had been held to hear voices from all sectors of society. The Government would continue to seek the views of civil society each year, expressed through the people's advisory committee, for the duration of implementation of the Plan.

49. **Ms. Lee** Hye Jung (Republic of Korea) said that the liability of parent companies for human rights violations committed by subsidiaries could be limited if the company in question was a subsidiary or joint venture that was regarded as an independent entity. Nonetheless, the real relationship between the companies was taken into consideration, so the parent company could be held responsible in certain cases. However, in practice it could be difficult to find evidence establishing the relationship between the local and the parent company; companies headquartered in the Republic of Korea were therefore unlikely to be found liable for the actions of their overseas subsidiaries.

50. **Mr. Yoon** Jhong Ho (Republic of Korea) said that the agriculture sector was exempt from the provisions of the Labour Standards Act on working hours, breaks and holidays because seasonal factors and the attributes of crops required different types of labour, for that reason, it was not easy to apply uniform or universal criteria. Nevertheless, research was being conducted to determine the impact on agriculture that would result from application of the Act, and upon publication of the findings of that research, a consultative body would be set up to recommend improvements.

51. The fact that over 80 per cent of migrant workers in the agriculture sector had changed workplace in 2016 suggested that limitations on workplace change did not have a significant impact on their rights and interests. In 2017, incentives had been introduced to encourage employers to comply with guidelines, along with additional measures to provide protection for workers, allowing them to change workplace in the event of unfavourable changes to their working conditions or wages.

52. **Mr. Yoo** Mun-kyu (Republic of Korea) said that, where industrial action was legal, workers were exempt from civil and criminal liability and were thus fully guaranteed the right to strike. However, in the case of illegal strike action, workers could be held liable. In order to prevent employers from pursuing excessive claims, the Government had banned the seizure of any amount exceeding 50 per cent of a worker's salary. Measures to eradicate unfair labour practices had been adopted in June 2017, and broad discussions aimed at improving labour relations were to continue. Legislation provided that all workers had the right to join a trade union if they were currently employed. In view of the Government's intention to ratify all the core ILO conventions, a revision of the law to remove that restriction was to be discussed with stakeholders. Under the Trade Union and Labour Relations Act, a worker was defined as a person who made a living from a wage or payment for work provided, while an employer was the owner of a business, a business manager or a person acting on his or her behalf. As workers who were not covered by the conventional definition could not fully enjoy the right to work, the Government was intending to revise the Act or enact special legislation that would encompass their situation.

53. The "essential business system" struck a balance between the workers' right to take part in industrial action and protection of the public interest. Essential businesses were defined in the Trade Union and Labour Relations Act as establishments in which the suspension or discontinuance of work might cause serious harm to the public; they included rail companies, water providers and hospitals. The system complied with international standards, but the Government recognized that it should not place excessive restrictions on the right to strike, and it was therefore carrying out fact-finding surveys and holding discussions with workers and management to explore possible reasonable improvements. No statistics were currently available on complaints concerning unfair labour practices, but the delegation would supply them later in writing.

54. **Ms. Jeong** Jaewon (Republic of Korea) said that the Government expected the cost of strengthening national health insurance coverage to amount to ₩30.6 trillion over the next five years. To meet that bill, it would increase government support, raise insurance premiums within acceptable limits and endeavour to avoid unnecessary expenditure. The system's cumulative reserves would also be reduced from ₩21 trillion at the end of 2017 to around ₩9 trillion in 2022, which would still be enough to cover 1.5 months of benefits.

55. **Mr. Ha** Heejun (Republic of Korea) said that reported social opinion in respect of LGBTI persons tended to vary according to the way in which survey questions were framed, and there was not yet any consensus in respect of specific protective measures for them. There were, however, no provisions in legislation that allowed for any form of discrimination against sexual minorities.

56. **Mr. Park** Jinwoo (Republic of Korea) said that three bills related to improvements to the civil registration system were currently pending consideration in the National Assembly, and it was hoped that their adoption would facilitate birth registration.

57. **Mr. Kim** Tae Hun (Republic of Korea) said that, as a result of adoption of the 2013 amendment to the Criminal Act, which introduced the offence of human trafficking into its section concerning kidnapping and abduction, the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime (the Palermo Protocol) was fully implemented in the country. The range of trafficking situations specified in the law, including for labour exploitation, sex trafficking or the exploitation of organs, made any buying or selling of human beings a punishable act. Aiding or abetting the commission of such crimes was punishable as a separate offence. The principle of universality had also been introduced, with provisions that allowed the prosecution of foreign nationals who had committed such crimes in other countries.

58. **Ms. Chang** Mikyong (Republic of Korea) said that persons who arrived in the country on E-6 visas were given information on the rules governing the process. Employers who were found to have abused the system by bringing workers into the country for the sex trade or other illegal forms of employment were subject to increased penalties and barred from applying for E-6 visas for three years. Where a holder of an E-6 visa had absconded, subsequent requests from the same employer were subject to a more stringent consular interview process in the country of origin. Since 2016, visa applicants had been required to submit a letter of recommendation through the diplomatic mission in their home country and show proof of at least three years' experience in the field of work concerned. Indicators developed by the National Human Rights Commission of Korea had been introduced in 2017 to help prevent human trafficking and protect the victims. Persons who were identified as trafficking victims were given temporary protection and allowed to remain in the country for longer. In the case of trafficking for sexual exploitation, they could seek help from the support centres for foreigners that existed throughout the country, which would provide accommodation, counselling, medical assistance and job-related support. The authorities also provided information for vulnerable migrant workers and marriage migrants on their rights and the avenues open to them in the event of violations.

59. **Mr. Kim** Tae Hun (Republic of Korea) said that most economic, social and cultural rights were listed in the Constitution, while its article 37 (1) specified that the list was not restrictive. The Government recognized that more effort needed to be put into ensuring the broader application of the Covenant rights, and a constitutional amendment to that end was currently under discussion. The Covenant was invoked before the courts, and the Government ensured that it published the concluding observations of the various human rights committees on their consideration of the State party's reports.

60. With the introduction in 2016 of the Improper Solicitation and Graft Act, the authorities were endeavouring to combat corruption involving high-ranking officials. Three related bills, one of which included provision for an investigative mechanism, were currently before the National Assembly. Unfortunately, no statistics were available to show whether perpetrators were public officials, but the delegation would endeavour to supply them to the Committee subsequently.

61. **Mr. Kedzia** said that he was pleased to note the delegation's readiness to help the Committee understand the situation related to implementation of Covenant rights in the Republic of Korea and hoped that the Government would do its best to establish a participatory mechanism to address follow-up to the Committee's concluding observations.

62. **The Chair**, noting the presence in the meeting room of nine judges from the Republic of Korea, said that she hoped their visit had been useful.

The meeting rose at 1.05 p.m.